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## DIPLOMATIC RELATIONS BETWEEN FRANCE AND THE REPUBLIC OF TEXAS

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### III

#### FRENCH COLONIZATION IN TEXAS

We shall now turn to the efforts to colonize Texas by European emigration. We shall first notice some of the colonization laws made to encourage this emigration, and then the efforts of various colonization companies operating under the laws. The vast amount of unsettled land in Texas and the sparseness of the population account for the efforts to induce foreign emigration to Texas. On January 4, 1841, a law was passed entitled "An Act Granting Land to Emigrants." This act provided that every free white person who was the head of a family, who had emigrated to Texas since January 1, 1840, or who should emigrate to Texas before January 1, 1842, should be entitled to six hundred and forty acres of land, provided he would settle on the land, cultivate ten acres, and have it surveyed. Under the same conditions, any single free white man was entitled to three hundred and twenty acres. However, no man was to receive a patent to the said lands, unless he presented a certificate from the chief justice of the county in which he resided which showed by the sworn statements of two credible witnesses that he had complied with the conditions of the law, and had taken the oath of allegiance. Furthermore, the president was authorized to form contracts for settling "vacant and unappropriated lands" in Texas. This contract provided that the holders of such contracts were to introduce into Texas, within three years from the date of the contract, a certain number of families, and that they should commence settlement within one year from the date of the contract. The president was to designate certain limits of territory within which the emigrants were to reside. Not more than six hundred and forty acres, "to be located in a square," were to be given to one family, or three hundred and twenty acres to any single man over seventeen years of age. No contract between a contractor and families or persons

was to be binding, if it allowed the contractor for transportation and other expenses over one-half of the land to which such persons were entitled. The contractor was to pay all expenses relating to the surveying, but this did not release the colonist from his obligation to reimburse the contractor. The contractors were to receive ten sections of land for every one hundred families introduced, and "in the same ratio of half sections for every one hundred single men introduced and settled." No fractional number less than a hundred was to be allowed in a premium. A failure on the part of the contractor was not to deprive the colonists already introduced of their rights and "quotas of land." One-third of the whole number of families and single persons provided for in the contract were to be introduced before the expiration of one year from the date of the contract, else the contract was to be forfeited.<sup>86</sup>

On February 5, 1842, the act of January 4, 1841, "Granting Lands to Emigrants," was extended so that the president could make contracts with any colonization companies that he might "in his judgment" approve.<sup>87</sup>

Before discussing the French colonization of Texas, we shall turn aside to notice the unsuccessful attempt to pass through congress a land bill, known as the "Franco-Texienne Bill." On July 21, 1841, there appeared in *The Austin City Gazette* a copy of the "Franco-Texienne Bill," and a discussion of it. According to this bill, Jean Pierre Hippolyte Basterreche, Pierre Francoise de Hassauex, and their associates were to be formed "into a body corporate," and were to have the rights and privileges belonging to corporations, necessary to carry out their contract. Before January 1, 1849, they were to settle in Texas eight thousand emigrants above the age of seventeen. One thousand were to be settled within two years after the passage of the act, with an additional thousand each year until eight thousand had been settled. The emigrants were to take the oath of allegiance to the Texan government and were to be subject to its laws.

The company was to establish and maintain a line of posts for military service from a point "thirty miles above the town of

<sup>86</sup>Gammel, *Laws of Texas*, II, 554-557.

<sup>87</sup>Gammel, *Laws of Texas*, II, 785-786.

Presidio, and extending to the Red River, at some point above and near to the Cross Timbers." There were to be twenty posts and they were to be kept up for twenty years beginning with January 1, 1843. Ten posts were to be erected within two years after the passage of the bill and the remaining ten "within five years from the same period." Likewise, the company was to "establish and keep in repair for the same period of twenty years" for public use lines of communication between each of the posts. Furthermore, the company was bound to appoint a sufficient number of competent geologists, mineralogists and botanists to explore "the whole of the country embraced within the limits of this Republic above the said line of posts," and make a "full report" of all mines that should be found. They were to open and work all mines of value for twenty years, and give fifty per cent of the proceeds to the government of Texas.

If they carried out the provisions of the bill, they were to receive three million acres of land, but were to get a "conditional title" which would become null and void, unless the provisions of the bill were carried out. Over one-fifth of the lands donated were to be west of the Nueces river. The *Gazette* argued that this grant of land would be a means of settling the controversy between Texas and Mexico over the jurisdiction of the territory, "lying west of the Nueces river and east of the Rio Grande." The lands of the act were to be free from taxes until January 1, 1845. To this, the *Gazette* objected, saying that "every citizen should be willing to contribute his mite towards the exigencies of the State." It favored "taxation commencing from the time of location, instead of allowing a lapse of four years as contemplated by the Bill."

The company was to have the right to "import from Europe and elsewhere" for fifteen years all goods and wares which should be necessary "for conducting and carrying on trade and commerce." For goods sold beyond the limits of the Republic, they were to be charged a transit duty of three per cent, ad valorem, and for goods sold within the Republic they were to pay "at such rates of import as may from time to time be established by law." The *Gazette* considered that it was "the true interest of every Government to encourage its citizens in the extension of its

commerce," but thought that the above provision should be made the subject of general, not special legislation.

The company was to have the right to pass all by-laws necessary to the carrying out of the objects contemplated in the bill, provided that they were not in violation of the constitution and laws of the Republic. Indian wars were not to be considered as an excuse for non-performance of its contract. In case of failure by the company to fulfill "any one of the conditions at the time specified" for its performance, all rights of the company together with all forts and roads were to be forfeited to the Republic.

The last section of the bill provided that the head of each family brought over by the company was to receive three hundred and twenty acres of land, and every single man over seventeen, one hundred and twenty acres of land. The colonists were not to have the right "to alienate this land for three years after taking possession of the same."

On the whole, the *Gazette* favored the bill, and declared that, "In vain have we sought for constitutional objections—none could we find." James Hamilton said that "The Franco-Texian Commercial and Colonization Company" was "a private company, in which the French government had no participation, and of which the French Ministry have, I believe, no knowledge."<sup>88</sup>

The *Telegraph and Texas Register* said that President Houston favored the bill, on the ground that "Texas was too weak to protect her frontiers," and that "he was glad that chivalrous France should come forward to to aid us."<sup>89</sup> The bill passed the house of the fifth Texas congress, but was killed in the senate.<sup>90</sup>

In accordance with the act of January 4, 1841, and the act of February 5, 1842, President Houston made a contract with "Henri Castro and John Jasaud and their associates" on February 15, 1842.<sup>91</sup> "For and in consideration of the grant and

<sup>88</sup>*Austin City Gazette*, July 21, 1841.

<sup>89</sup>The *Telegraph and Texas Register*, February 10, 1841.

<sup>90</sup>See footnote in Garrison, *Dip. Cor. Tex.*, III, 1008.

<sup>91</sup>Henri Castro was born in France, 1786. He was of Portuguese descent, and was a member of the Paris National Guard in 1814. He came to the United States after the overthrow of Napoleon, and was naturalized. In 1838, he left America and returned to France, where he became a member of the banking house of Lafitte and Company. In 1842, he became consul

privileges, and rights and immunities" given to them, Castro and Jassaud promised to introduce six hundred families or single men into Texas. One-third of the whole number of families or single men over seventeen years of age was to be brought over within one year from the date of the contract, but as the colonists had to come from Europe, the president extended the time of bringing over the first third six months "over and above the time of one year." It was agreed that if any part of the contract conflicted with the acts of congress, it was to be considered to that extent "null and void," the other provisions of the contract remaining in full force.<sup>92</sup>

In speaking of emigration, Castro said that great enthusiasm prevailed in France . . . relative to this subject" and that "thousands of thrifty farmers" were getting ready to emigrate to Texas. The *Telegraph and Texas Register* rejoiced to find that the current of European emigration was turning towards Texas, and expected that within a few years the desert portion of the republic would ring "with the songs of industry."<sup>93</sup>

On October 15, 1842, Castro wrote to the secretary of state telling him of the "fine ship Ebro, of five hundred tons," sailing from Havre to Galveston on November 1, and of "the fast sailing Curienne of three hundred tons," sailing from Dunkerque on November 30. After a fifty-nine day voyage, the *Ebro* arrived at Texas, having had two deaths and two births on the voyage.<sup>94</sup> Castro planned to continue his sailings from month to month. He impressed upon Jones the importance of giving protection to the first settlers, as future emigration depended "entirely" upon the reception that these received. Their "relations and parents" in France would be waiting to hear of the treatment accorded to the first emigrants.<sup>95</sup>

general for the Republic of Texas in Paris, and entered into the work of colonizing Texas (Appleton, *Cyclopaedia of American Biography*, I, 555).

<sup>92</sup>The original contract is in the State Archives, and is signed by H. Castro, J. Jassaud, and Sam Houston. It is attested by Anson Jones, Secretary of State.

<sup>93</sup>The *Telegraph and Texas Register*, February 16, 1842.

<sup>94</sup>The *Telegraph and Texas Register*, January 25, 1843.

<sup>95</sup>Castro to Jones, October 15, 1842. Colonization Papers in the State Library. Castro to Jones, July 9, 1844, in the Colonization Papers gives the date of the sailing of the *Ebro*, November 3, 1842.

Each family and single person over seventeen deposited one hundred francs with Castro as a guarantee that they were going to the place chosen for the colony. This was to be returned to them after their arrival and settlement in Texas.<sup>96</sup> The *Telegraph and Texas Register* of September 27, 1843, thought that Castro ought to be able to make a good deal of money this way, as it doubted whether many of the colonists would fulfill their contracts. The *Ebro* was chartered to carry one hundred and fourteen persons, who were "skilled agriculturists," bringing with them implements of husbandry as well as means for the cultivation of the land. They only brought part of their property. The remainder was to be sent later, if they were satisfied and wished to remain in Texas.

The Mexican question was a thorn in the side of the emigration movement. On the day of the sailing of the *Ebro*, news was received of the capture of San Antonio de Bexar by the Mexicans.<sup>97</sup> On January 10, 1843, the *Lyons* left Havre, bearing ninety-two individuals, and was followed on February 27, by *Le Louis Philippe*, carrying forty-nine emigrants.<sup>98</sup>

On the 25th of October, 1843, the *Jean Key* left Anvers for Galveston with one hundred and twenty-nine emigrants.<sup>99</sup> According to Castro, these emigrants were from Alsace, a province well known for agriculture.

On July 9, 1844, Castro made a report to Houston in which he gave a brief survey of his colonial activities. In this he said that the fifteenth of May, 1842, found him busy at work in the execution of his contract. There were three great things which had hindered him in his work. One was the unsettled condition between Texas and Mexico, another was the opposition to the colonization movement by some of the people in France. The third hindrance was the objection of the French government to Castro. Guizot, French minister of foreign affairs, told Ashbel Smith, Texan chargé d'affaires to France, of the dislike to Castro. In

<sup>96</sup>Castro to Jones, November 1, 1842. Colonization Papers, State Library.

<sup>97</sup>Castro to Jones, November 15, 1842. Colonization Papers, State Library.

<sup>98</sup>Castro to Houston, June 1, 1844. Colonization Papers, State Library.

<sup>99</sup>Castro to Houston, July 9, 1844. Colonization Papers, State Library. *Etat des Colons envoyés au Texas. Ibid.*

view of this, Castro's commission as consul general of Texas, which had been sent him on February 28, 1842, was revoked in October, 1842.<sup>100</sup> The government of Texas appreciated the obstacles, and on January 4, 1843, assured Castro that his efforts gave it "much satisfaction," and that every government aid would be extended to him "in the prosecution of an object so manifestly for the interest of Texas."<sup>101</sup>

Castro said that he required four conditions of persons who wished to be his colonists: (1) Necessary clothing, (2) farming implements, (3) means of paying their passage, (4) means of subsistence during the first year. According to Castro, Texas derived several benefits from foreign emigration. She was aided by having her population increased by good, sturdy farmers. Her financial condition was improved, as these vessels brought over a variety of goods subject to the Texas tariff laws.

Castro claimed that it was by no means easy to induce emigrants to come to Texas. Really poor people could not come as the Texas laws refused "to recognize contracts in virtue of which, the time and services of a party were engaged before hand." Hence, capitalists would not advance them money on a mere promise to pay. The farmers in easy circumstances did not care to break up their homes and go to a wild country troubled with frequent wars. Castro thought that after a colonist reached Texas and was settled inducements should not be offered which would cause him to leave his land and move about.

The survey closed with a statement of Castro's expenses up to June 1, 1844. The total was 79,578.25 francs. Among these expenses are mentioned postage, salaries of agents, expenses of various trips, and office expenses.<sup>102</sup>

Among the towns founded by Castro are Castroville, established in 1844, and Quihi, founded in 1845. Castro has left us a graphic description of the founding of Castroville. He and his colonists left San Antonio, Texas, on September 1, and proceeded to the bank of the Medina, twenty-five miles from San Antonio. On the second, they established a camp, and built a log house. Then,

<sup>100</sup>Smith to Jones, October 31, 1842. Garrison, *Dip. Cor. Tex.*, III, 1391.

<sup>101</sup>Castro to Houston, July 9, 1844. Colonization Papers, State Library.

<sup>102</sup>*Ibid.*



with the aid of Mexican laborers, sun dried bricks were made which were to be used in building houses for the colonists. A small garden was laid out and planted for vegetables. Milch cows were brought in and beeves were killed for meat. A constable and two judges were elected to take charge of the government affairs. A surveyor laid off the ground. *Monsieur l'Eveque* Odin and the *abbé* Oge came out to lay the cornerstone for a church. The cannon which was to be used for defense was covered with the flags of Texas and France.<sup>103</sup>

There were many obstacles which deterred Castro from bringing Colonists to Texas. Among these difficulties were the opposition of the French government officials, the lack of equipment and finances by the colonists for making a settlement after their arrival in Texas, the opposition of the Texan and French press, and a decree of the court of Strassburg. French government opposition to Castro's colonization work came from both home and foreign officials. On April 12, 1843, the *Prefet* of Doubs addressed a circular to the *Sous-prefets* and *Maires* concerning emigration to Texas. This circular stated that the emigrants to Texas from Lorraine had had the indiscretion to exchange their money for drafts payable in Texas. They were deceived, and after their arrival in Texas there was no one to pay the drafts, and they found themselves without resources.<sup>104</sup> Such a statement as this coming from an official was certain to attract attention. Guizot excused the circular on the ground that the publication of the *prefet* had been made through the order of the government because it was necessary to protect French emigrants and put them on their guard against the intrigues of certain persons who were acting without a mission and who sought to take advantage of the credulity of emigrants going to Texas.<sup>105</sup> According to Anson Jones, secretary of state of Texas, there was no such complaint in Texas as the *prefet* of Doubs alleged.

The French chargé d'affaires to Texas in 1843 said that the condition of the French colonists after their arrival in Texas was often pitiful. He claimed that some died from unfavorable cli-

<sup>103</sup>Castro, *Le Texas* (Anvers, 1845), 28-30.

<sup>104</sup>Smith to Guizot, April 25, 1843, enclosed in Smith to Jones, April 27, 1843. Garrison, *Dip. Cor. Tex.*, III, 1441-1444.

<sup>105</sup>Guizot to Smith, May 8, 1843. *Ibid.*, III, 1451.

matic conditions, while others were killed in Mexican and Indian attacks. Many of those remaining were applying for money to return to France.<sup>106</sup>

There is probably no doubt that many French colonists did come to Texas not properly equipped for settlement, and without the means to buy such equipment. Doubtless most of the colonists left France with a very slight knowledge of Texas and of the place where they were going to settle. They did not reckon well the expense of making a new home in the wilderness, infested by hostile Indians. The *Telegraph and Texas Register* of September 27, 1843, says that the French emigrants were often destitute of money, and had little clothing and provisions. Frequently they did not have enough money to tide them over until a crop could be made and harvested.

The Texas newspapers with their unlimited freedom criticised the colonization movement as well as the loan project. They characterized the government of Texas as weak, inefficient, and doomed to failure.<sup>107</sup> Because of unfavorable criticism of his colonization work in a provincial paper, Castro sued the editor for libel.<sup>108</sup>

An article appeared in the *Gazette des Tribunaux* of August 2, 1844, concerning the condemnation of Castro's colonization work by the court of Strassburg. The court said that Castro failed to put the colonists in possession of lands promised them, after having received one hundred francs from each married adult and fifty francs from each single person over seventeen years of age as a deposit for the faithful fulfillment of their contracts. Ashbel Smith considered that the action of the court was "severe," as Castro was not present in person or represented by counsel during the court's proceedings.<sup>109</sup>

According to Castro, the court had condemned his operations, as "chimerical" and declared that his credit was "factitious."<sup>110</sup> In opposition to the court's decree he cited the fact that he had sent ten ships to Texas, and had established a settlement of six hundred colonists at Castrovilla. The head of each family now

<sup>106</sup>Smith to Jones, December 30, 1843. *Ibid.*, III, 1477.

<sup>107</sup>Smith to Jones, June 16, 1843. *Ibid.*, III, 1449.

<sup>108</sup>Smith to Jones, February 26, 1844. *Ibid.*, III, 1481.

<sup>109</sup>Smith to Jones, August 13, 1844. *Ibid.*, III, 1488.

<sup>110</sup>Castro, *Le Texas*, 18.

cowned land which, valued at the same rate as public land in the United States, would be worth 5,000 or 6,000 francs. At the least estimate it was certainly worth 2,000 francs. Was this "chimerical," Castro asked, and had it been done with a "factitious credit?" Castro considered that the judge of the court had not taken an impartial view of his work, and had been occupied only with the interest of the colonists. They had forgotten to take into account the fact that he had gone to Texas to aid personally in the settlement of his colony and had borne its dangers. In conclusion, he thought that the judges had condemned him with "a complete disregard for the fate of the seven hundred Frenchmen," who had already been transported to Texas and who were dependent on his actions.<sup>111</sup>

On January 30, 1844, a law was passed repealing the laws authorizing the president to make colonization contracts, and forfeiting all which had not complied with the law. The president was forbidden to make any contracts granting "any further time, privileges, or facilities" to persons with whom he had already made contracts. The attorney-general was to ascertain as far as possible the proceedings of the contractors, how far they had complied with the laws, and to make a report to the next congress, in order that it might take any action that it should see fit and proper. The president, when he found out that any contracts had been forfeited by the failure to comply with the conditions required, was ordered to make an immediate proclamation to that effect.<sup>112</sup>

From the debates in the Texas constitutional convention of 1845, we learn some of the main reasons which led to the passage of the act of January 30, 1844. The question as to whether the colonization contracts could be annulled came up in the constitutional convention, as the Constitution of the United States says that no State can pass laws impairing the obligations of a contract. It was alleged that the colonization contracts "were fraudulent and unconstitutional in their inception." The opponents of foreign colonization declared that "inasmuch as there was a general lien upon the public lands for the payment of the

<sup>111</sup>*Ibid.*, 37.

<sup>112</sup>Gammel, *Laws of Texas*, II, 958-959.

soldiers and other public creditors, the grants to the contractors were unconstitutional." However, the supporters of the colonization movement said that after all military claims had been paid off, there would still be left one hundred and eighty million acres of public lands.\*

Although the law of 1844, was to cancel emigration contracts which had not been complied with, the senate and house on January 27, 1845, voted to allow Castro an extension of two years on his contracts of February 15, 1842. However, each emigrant upon his arrival in the territory of the Republic would, by virtue of his contract, make an oath to become a citizen of Texas before taking possession of his land.<sup>113</sup>

By 1846, the total number of vessels which had brought emigrants to Castro's colony was twenty-six. He had sent over four hundred and eighty-five families and four hundred and fifty-seven single persons, chiefly Alsatians. Castro died in 1861 in Monterey, Mexico.<sup>114</sup>

We shall now notice the efforts of Bourgeois to bring colonists to Texas. On June 3, 1842, President Houston entered into a contract with "Alexandre Bourgeois (d'Orvanne), and Amand Ducos, and their associates," at Houston, Texas, by which Bourgeois and Ducos agreed to introduce "a colony of twelve hundred families or single men over seventeen years of age," within three years from the date of the contract. The colonists were to be free whites. The location of the colony was to be as follows:

Commencing at the junction of the Rio Potranca with the Rio Medina, thence extending up the Potranca to its source, thence due north to the Sabinos [Sabinal], thence extending along the Sabine to the source of that stream, thence in a direct line to the source of the Arroyo d'Uvalde, thence in a direct line to the source of the southern branch of the Rio Frio, thence extending down the said stream to the junction of the Rio Frio with the Arroyo de Uvalde, thence extending along the line of the grant

\*The convention of 1845 adopted an ordinance providing for an examination of the constitutionality of these colonization contracts, and inhibiting the legislature from extending any contract or granting relief to any contractor.—THE EDITORS.

<sup>113</sup>Castro, *Le Texas*, 24. Also, the *Telegraph and Texas Register*, February 15, 1845.

<sup>114</sup>Appleton, *Cyclopaedia of American Biography*, I, 555.

made to Henri Castro and J. Jassaud to the northeastern corner of said grant, thence in a direct line to the place of the beginning.

Each family was to receive six hundred and forty acres and each single man three hundred and twenty, title to be acquired after three years of residence, having built a log cabin, and cultivated fifteen acres. Bourgeois and Ducos were to receive a compensation like that of Castro. Every settlement of 100 families was to get six hundred and forty acres for "the erection of buildings for public religious worship." Bourgeois and Ducos were to respect "all legal locations" made prior to August 1, 1842. Like Castro, Bourgeois and Ducos must introduce four hundred families into "the limits of the Republic, before the expiration of one year from the date of this contract" or the contract with all its privileges was to be forfeited, but nevertheless all families and single persons who should have settled under the contract were to have "their respective quotas of land." The following was to be taken as a definition of a family: "First, a married man and his wife; second, a widower and two or more children, if males under the age of seventeen, if females, unmarried; third, if a widow, the same as a widower."

The colonists were to be of good moral character and free from criminal offences. They were not to furnish the Indians with intoxicating liquor, gunpowder, lead, firearms, or with any other kind of warlike weapons. If they did so and were convicted, they were to lose all lands which they had acquired by the contract. Each alternate section of land "except for the premium and church lands" was to be reserved and set apart for the Republic of Texas.

Bourgeois and Ducos were to have the privilege "to introduce and settle upon the lands herein designated, an additional number of four hundred families or single men over seventeen years of age," provided they gave to the government of Texas within one year of the date of the contract a written notice of their intention to do so. These emigrants were to be settled under the same contract terms as the previously mentioned twelve hundred families or single men over seventeen years of age. Bourgeois and Ducos received an extension of six months over the time of one year from the date of the contract. Like the contract with Castro, should any of the provisions of the contract be found to conflict

with the laws of congress, to that extent the contract was to be null and void.<sup>115</sup>

In February, 1843, Bourgeois wrote the secretary of state that Ducos would come to America with the colonists, while he would remain in France to carry on the work of enlisting colonists. He declared one of the main hindrances to his work was the unsettled condition of affairs between Mexico and Texas. He complained that he had not been treated as well as Castro, and objected to the alternate sections of land in his grant being reserved to the government of Texas.<sup>116</sup>

In July, 1844, Bourgeois wrote to the Texan government concerning his grant and the work which he had done. He gave several reasons why he had not been able to carry out his contract. In the first place, an organization of that kind required much "care, method, and wise arrangement." It was necessary to take into consideration both the wants of the emigrants and those offering a home to emigrants, so as not to make emigration a weight to both parties. Under the influence of this principle, and a desire to render a truly worthy service to Texas, Bourgeois employed himself in the completion of his plans. No sooner had he returned to Europe and taken up his work than the report of a Mexican invasion of Texas spread over Europe. To have dispatched emigrants to Texas under these circumstances would have been unjust to the emigrants, and might have embarrassed the government of Texas. If the company was to aid the emigrants and add to the prosperity of Texas, Bourgeois thought it was best to await a more favorable moment. However, he declared that it would have been easy for him to have sent to Texas a thousand emigrants. It was not the lack of material that kept him from fulfilling his contract, but his own moral principles. Still Bourgeois claimed that he had not been inactive, but had done all that he could to advertise Texas and her future. He took an active part in the "Triple Intervention," a plan which proposed the combined intervention of the United States, Great Britain and

<sup>115</sup>The contract between Bourgeois and President Houston, June 3, 1842, Colonization Papers, State Library.

<sup>116</sup>Bourgeois to the Secretary of State, February 28, 1843, Colonization Papers, State Library.

France to bring about peace between Texas and Mexico, but which failed to secure the joint action of all three powers.

Bourgeois did not want his contract annulled. He thought that there would be doubt of his obtaining from the coming congress the confirmation of his grant, if he was supported by the cabinet. He thought that the interest he had shown in Texas, and the services which he had rendered her should be taken into consideration. He considered that the law of 1844 required the attorney-general to make a report to congress upon the position of each grantee, and hence no settlements could proceed until this report had been brought up before congress. With respect to his own word and the promises made to the colonists, he did not think that he could transplant them to any other part of the Republic. He maintained that these considerations should induce the government to do for him that which "the law, justice and equity, with respect of persons or of the relations of friendship," required upon the part of Texas.<sup>117</sup>

In the summer of 1843, Bourgeois had visited Germany and on September 19, 1843, had sold his colonization contract to the Verein, a German colonization society which was formed in Germany in June, 1843, with a capital of \$80,000.<sup>118</sup> It had for its object "the purchase and settlement of land areas in Texas." Bourgeois became a member of the company, taking the position of colonial-director of the company. He was to assist Prince Charles, of Solms Braunfels, the general agent of the company, to carry on the colonization work of the company. Bourgeois' contract of June 3, 1842, provided that he should have four hundred families settled in his grant in eighteen months (six months extension had been allowed him). His contract would, therefore, expire if not complied with on December 3, 1843. By the law of January 30, 1844, all contracts, whose conditions had not been fulfilled, were to be null and void. In May, 1844, Bourgeois and Prince Charles set out for Texas, and arrived there in July, 1844. In two letters of July 8 and July 10, Bourgeois begged for an extension of the time of his contract. Bourgeois does not seem to have been "open and above board" in his transactions with the Verein. Prince

<sup>117</sup>Bourgeois to Secretary of State, July 10, 1844, Colonization Papers, State Library.

<sup>118</sup>Benjamin, *The Germans in Texas*, 32.

Charles was in a difficult situation as the colonists of his country would soon begin arriving and he had no land on which to place them. He, therefore, signed for the company a contract on June 24, 1844, with the government of Texas, and by September, 1844, two hundred families of Germans were brought over to Texas.<sup>119</sup>

We shall now turn aside to notice what promises to be an important innovation in the commercial relations between Texas and France. As the steamship connection between France and Texas was poor and uncertain, the French government made a formal move on September 30, 1843, towards the establishment of a line of royal steam packets for the better transportation of mail and passengers between Texas and France. A commission was sent over to Texas on the French vessel *Comer*, which was to gather information necessary to the establishment of this line.

The steamboats of this line were to belong to the royal marine of France. They were to embark and disembark their passengers and cargoes at Texas ports after complying with the proper formalities. These vessels were to transfer gold and other valuable material formerly carried by warships, but they could also haul merchandise. If merchandise was transferred, a note setting forth the articles to be disembarked and the consignees was to be given to the Texas customs officials. Tonnage duties corresponding to the amount of goods disembarked and embarked was to be paid to the Texas government. All disputes which should arise were to be settled by arbitrators. The Texan government was to choose one and the agents of the King another. These were to choose a third party in case of a disagreement.<sup>120</sup>

Anson Jones, secretary of state, was sent to treat with Cramayel. President Houston was anxious to facilitate by all possible means the commercial relations between Texas and France, but the enterprise was abandoned in February, 1844. France gave as a reason for this action the enormous expense in keeping up the line. The ships which were to be used in the line were needed in her Mediterranean commerce.<sup>121</sup> The *La Grange Intelligencer* quoted the *New York Herald* as saying that France's abandonment of the

<sup>119</sup>*Ibid.*, 38-43.

<sup>120</sup>Cramayel to Jones, September 30, 1843. Garrison, *Dip. Cor. Tex.*, III, 1466.

<sup>121</sup>Smith to Jones, February 26, 1841. *Ibid.*, III, 1480-1481.



steamship project was due to the expense she had undergone in fortifying Paris, and to the expense of her proposed railway projects. The Texas paper believed that the stoppage of the proposed steamship line showed little foresight by the French government.<sup>122</sup> The *Telegraph and Texas Register* held the same view.<sup>123</sup>

[Chapter IV of the paper discusses the attitude of Texas toward the annexation of Texas to the United States. It is based largely on Smith's *Annexation of Texas*, Chapter XVIII, and adds nothing to that discussion. The same subject is covered at length in E. D. Adams's *British Interests and Activities in Texas* (1910), Chapters V-VIII.—EDITORS.]

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<sup>122</sup>*La Grange Intelligencer*, April 25, 1844.

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